

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SIXTH LEGISLATURE

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FIFTY-FOURTH LEGISLATIVE DAY  
FRIDAY, MARCH 4, 2022

Senate Chamber

President McGeachin called the Senate to order at 10 a.m.

Roll call showed all members present except Senator Den Hartog, absent and formally excused by the Chair; and Senator Burtenshaw, absent and excused.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Lyndsey Lewis, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 4, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 4, 2022

The JUDICIARY AND RULES Committee reports that [S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), and [S 1368](#) have been correctly printed.

LAKEY, Chairman

[S 1363](#), [S 1364](#), [S 1365](#), and [S 1366](#) were referred to the Finance Committee.

[S 1367](#) was referred to the State Affairs Committee.

[S 1368](#) was referred to the Commerce and Human Resources Committee.

March 3, 2022

The HEALTH AND WELFARE Committee reports out [S 1350](#) with the recommendation that it do pass.

MARTIN, Chairman

[S 1350](#) was filed for second reading.

March 3, 2022

The HEALTH AND WELFARE Committee reports out [S 1346](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MARTIN, Chairman

There being no objection, [S 1346](#) was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2022

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 550](#), [H 576](#), and [S 1362](#) with the recommendation that they do pass.

RICE, Chairman

[H 550](#), [H 576](#), and [S 1362](#) were filed for second reading.

March 3, 2022

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 565](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

RICE, Chairman

There being no objection, [H 565](#) was referred to the Fourteenth Order of Business, General Calendar.

March 4, 2022

The STATE AFFAIRS Committee reports out [S 1351](#) and [S 1352](#) with the recommendation that they do pass.

LODGE, Chair

[S 1351](#) and [S 1352](#) were filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

### Messages from the Governor

February 28, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Trent Nate of Boise, Idaho, was appointed to the Idaho Health Insurance Exchange Board to serve a term commencing February 16, 2022, and expiring April 10, 2025.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

March 1, 2022

The Honorable Janice McGeachin  
President of the Senate  
Idaho State Senate

Dear Madam President:

I have the honor to inform you that Dean Fisher of Twin Falls, Idaho, was appointed to the Public Charter School Commission to serve a term commencing February 24, 2022, and expiring May 12, 2023.

This appointment is subject to confirmation by the Senate, and notice of appointment is hereby given.

Sincerely,  
/s/ Brad Little  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

The Senate advanced to the Ninth Order of Business.

#### Messages from the House

March 3, 2022

Dear Madam President:

I transmit herewith [H 708](#), [H 711](#), [H 719](#), [H 720](#), [H 685](#), [H 702](#), [H 614](#), [H 703](#), and [H 681](#), which have passed the House.

MAULIN, Chief Clerk

[H 708](#), [H 711](#), [H 719](#), [H 720](#), [H 685](#), [H 702](#), [H 614](#), [H 703](#), and [H 681](#) were filed for first reading.

March 3, 2022

Dear Madam President:

I transmit herewith Enrolled [HCR 33](#) and [HJM 5](#) for the signature of the President.

MAULIN, Chief Clerk

The President signed Enrolled [HCR 33](#) and [HJM 5](#) and ordered them returned to the House.

Senator Burtenshaw was recorded present at this order of business.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

##### S 1369

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2023; APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2023; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1370

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2023; APPROPRIATING MONEYS TO THE IDAHO STATE LOTTERY FOR FISCAL YEAR 2023; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING CONTINUOUS APPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1371

##### BY FINANCE COMMITTEE

##### AN ACT

RELATING TO THE APPROPRIATION TO THE IDAHO STATE HISTORICAL SOCIETY; APPROPRIATING MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2023; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO STATE HISTORICAL SOCIETY FOR FISCAL YEAR 2022; PROVIDING REAPPROPRIATION AUTHORITY; AND DECLARING AN EMERGENCY.

##### S 1372

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO LANDS; AMENDING SECTION 58-120, IDAHO CODE, TO PROVIDE FOR CERTAIN LEGAL REPRESENTATION; AMENDING SECTION 67-1406, IDAHO CODE, TO PROVIDE AN EXCEPTION TO CERTAIN LEGAL REPRESENTATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1373

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING STATE FUNDS AND TO PROVIDE FOR DISTRIBUTION OF FUNDING FOR LITERACY INTERVENTION AND FULL-DAY KINDERGARTEN; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1374

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1614, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CAREER EXPLORATION COURSES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

##### S 1375

##### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO VOTER IDENTIFICATION; AMENDING SECTION 34-408A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTION DAY REGISTRATION; AMENDING SECTION 34-409, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTRONIC VOTER REGISTRATION; AMENDING SECTION 34-410, IDAHO CODE, TO REVISE PROVISIONS

REGARDING VOTER REGISTRATION BY MAIL; AMENDING SECTION 34-411, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTER REGISTRATION; AMENDING SECTION 34-1002, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPLICATIONS FOR ABSENTEE BALLOTS; AMENDING SECTION 34-1003, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ISSUANCE OF AN ABSENTEE BALLOT; AMENDING SECTION 34-1004, IDAHO CODE, TO PROVIDE FOR ABSENTEE BALLOT RETURN ENVELOPES, TO REMOVE A PROVISION REGARDING PERFORATED BALLOTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-1005, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RETURN OF AN ABSENTEE BALLOT; AMENDING SECTION 34-1113, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTER IDENTIFICATION AT THE POLLS; AMENDING SECTION 34-1114, IDAHO CODE, TO REVISE PROVISIONS REGARDING VOTERS WITHOUT PHOTO IDENTIFICATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### **S 1376**

##### **BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO ABSENTEE BALLOTS; AMENDING SECTION 34-1005, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE RETURN OF ABSENTEE BALLOTS BY PERSONS OTHER THAN THE ELECTOR; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### **S 1377**

##### **BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO REVISE PROVISIONS REGARDING ELECTION DATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-116, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE COMPUTATION OF TIME; AMENDING SECTION 34-705, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 34-714, IDAHO CODE, RELATING TO FILLING VACANCIES IN A SLATE OF POLITICAL PARTY CANDIDATES OCCURRING PRIOR TO A PRIMARY ELECTION; AMENDING SECTION 34-715, IDAHO CODE, TO REVISE PROVISIONS REGARDING FILLING VACANCIES IN A SLATE OF POLITICAL PARTY CANDIDATES; AMENDING SECTION 34-717, IDAHO CODE, TO REVISE A PROVISION REGARDING THE WITHDRAWAL OF A CANDIDACY; AMENDING SECTION 34-1707, IDAHO CODE, TO PROVIDE A DEADLINE FOR FILING CERTAIN STATEMENTS PRIOR TO A RECALL ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

#### **S 1378**

##### **BY STATE AFFAIRS COMMITTEE AN ACT**

RELATING TO AN ENDANGERED MISSING PERSON ALERT; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2922, IDAHO CODE, TO ESTABLISH ENDANGERED MISSING PERSON ALERTS, TO DEFINE TERMS, TO PROVIDE FOR

AN ENDANGERED MISSING PERSON ALERT PLAN AND AN ADVISORY AND REVIEW COMMITTEE, TO PROVIDE CRITERIA FOR ACTIVATION OF AN ALERT, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY SHALL HAVE CERTAIN DUTIES, TO PROVIDE FOR TERMINATION OF AN ALERT, TO PROVIDE THAT THERE SHALL BE NO WAITING PERIOD FOR AN ALERT, AND TO PROVIDE CIVIL IMMUNITY; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1369](#), [S 1370](#), [S 1371](#), [S 1372](#), [S 1373](#), [S 1374](#), [S 1375](#), [S 1376](#), [S 1377](#), and [S 1378](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 708](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 711](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 719](#) and [H 720](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the State Affairs Committee.

[H 685](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 702](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 614](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 703](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 681](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

On request by Senator Anthon, granted by unanimous consent, [S 1289](#) was referred to the Fourteenth Order of Business, General Calendar.

[H 501](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[H 532](#), [H 548](#), and [H 607](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 606](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 523](#), [H 524](#), [H 525](#), and [H 528](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 539](#), by Judiciary, Rules and Administration Committee, was read the second time at length and filed for third reading.

[S 1297](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1354](#) and [S 1355](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[H 679](#), [H 686](#), and [H 687](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1361](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1298](#), as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[S 1337](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

On request by Senator Anthon, granted by unanimous consent, [H 563](#) was placed before the Senate for consideration at this time.

[H 563](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Grow arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer (Bayer), Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 33.

NAYS—None.

Absent and excused—Den Hartog, Thayn. Total - 2.

Total - 35.

Whereupon the President declared [H 563](#) passed, title was approved, and the bill ordered returned to the House.

[S 1347](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward. Total - 32.

NAYS—Bayer (Bayer), Zito. Total - 2.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1347](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1348](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lent arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Vick disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer (Bayer), Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1348](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1349](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cook arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer (Bayer), Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1349](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1345](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Harris arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer (Bayer), Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—None.

Absent and excused—Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1345](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1359](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Woodward arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer (Bayer), Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick,

Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS–None.

Absent and excused–Den Hartog. Total - 1.

Total - 35.

Whereupon the President declared [S 1359](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, [S 1353](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1330](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Anthon arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES–Agenbroad, Anthon, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Grow, Guthrie, Harris, Heider, Lakey, Lee, Lent, Lodge, Martin, Nelson, Nye, Patrick, Rice, Ricks, Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 32.

NAYS–Bayer (Bayer). Total - 1.

Absent and excused–Den Hartog, Wintrow. Total - 2.

Total - 35.

Whereupon the President declared [S 1330](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Anthon, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

#### **Motions and Resolutions**

On request by Senator Anthon, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Idaho Day Service.

The Idaho Day Service was presented to the members of the Senate with Co-chair Senator Wintrow providing opening remarks.

Representative Linden Bateman and Judge Patricia Young offered remarks for the Idaho Day Service. Janet K. Gallimore, State Historic Preservation Officer, read a poem on behalf of and written by Governor Philip E. Batt.

The Capital High School, Capital Singers performed "Star Spangled Banner", "Gold" and "Centennial Idaho" under the direction of Marguerite Lawrence and Joie Cariaga. Piano was played by Carolyn Fletcher and the flugelhorn was played by Billy Mitchell. "Centennial Idaho" was composed by Governor Philip E. Batt.

In honor of Governor Philip E. Batt's 95th Birthday, "Happy Birthday" was performed by the Capital High School, Capital Singers.

Closing remarks were provided by Co-chairman Senator Cook. He extended gratitude to all who helped with the program and the Idaho Day Service was dissolved.

President McGeachin returned to the chair

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:24 p.m. until the hour of 9:30 a.m., Monday, March 7, 2022.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary